

MHR *Connections*

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2013 Youth Conferences feature very special guests



Dr. Samantha Nutt, Founder & Executive Director of War Child North America.

The last time Dr. Samantha Nutt was the guest speaker at a Manitoba Human Rights Youth Conference was back in 2008 when she concluded her talk with, "This is our world, your world, my world. It is not about charity. It's about our common humanity. It's your legacy, your choices."

Students rose to their feet in appreciation.

"We have had many great speakers at our conferences," says Lorraine Lambert, Co-Chair of the Commission's Youth Conference Committee, "but I don't think I have ever seen so many students completely spell-bound as they were when Dr. Nutt spoke about her work, life experiences and philosophy."



Flo's music has profoundly touched her young fans. Watch Hateless on YouTube.

Flo. According to an article in Winnipeg's Uptown Magazine, Flo believes in the power of music to lift people up and motivate them.

Students will be able to see and hear her sing her anti-bully anthem "Hateless" or the inspiring "Just Believe in Me" at the 2013 Conferences in Winnipeg and Shilo.

According to Ms Lambert, "Flo is almost as excited to perform at our conference as we are to have her."

Although still in the planning stages, the 2013 Action Changes Everything (ACE) Human Rights Youth Conferences will take place in April and will also feature activity based human rights workshops and also will give students the opportunity to showcase the great human rights and social justice initiatives their schools have completed.

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**The Rights Connections
by Jerry Woods - Chairperson**

Where to draw the line?

One weekend earlier this month, the people of Winnipeg heard about senseless acts of racism. Anti-Semitic posters were put up in the downtown area of the city. Even if these actions were carried out by a small number of hateful people, we should not be any less offended.

The Human Rights Code is narrow in scope with respect to discriminatory statements. Nonetheless, the mandate of the Manitoba Human Rights Commission is not only the enforcement of *The Code* but also to educate and promote human rights.

Although we have come a long way as a society in dealing with racism and discrimination, we still have a lot of work to do until we can truly say that we have overcome racism in all its forms. We could begin with speaking out against racism and hate speech and promote a mutual respect for each other, but even this has complications.

Some believe that hate speech should be stopped in its tracks. Others point out that freedom of expression is also a right. No doubt there needs to be a balance. In the United States many deplore the violence following the distribution of a film extremely offensive to Muslims, yet continue to reserve the right to express individual views no matter how distasteful. An important human rights case now before the Supreme Court of Canada may help Canadians to find that illusive line.

In 2005, the Saskatchewan Human Rights Tribunal found that William Whatcott conveyed messages of hatred against gays and lesbians when he distributed flyers in Regina and Saskatoon which, among other things, referred to homosexual men as "sodomites" and "pedophiles," referred to same-sex relationships as "filthy," and urged people to lobby government to prevent homosexual persons from working as teachers.

It has been 20 years since the Supreme Court of Canada last ruled on the appropriate balance between freedom of expression and freedom from discrimination. In this appeal, Saskatchewan and the rest of Canada eagerly anticipates guidance on the balancing of rights concerning what some consider hate speech and others accept as freedom of expression.

Settlements

A woman (the complainant) contacted the Commission and alleged that her employer (the respondent) failed to take reasonable steps to end the harassment she was subjected to during her employment.

The complainant worked for a restaurant. She claimed that one of the supervisors would make sexually explicit comments towards other female employees in her presence. She said she reported this behaviour and shortly afterwards her employment was terminated.

Prior to a formal complaint being filed, using a process called pre-complaint mediation, a Commission mediator contacted the respondent. The parties entered into shuttle mediation. The respondent conducted its own investigation into the alleged comments which resulted in the supervisor apologizing to the targets of his comments.

The respondent also had a meeting with all employees to review their harassment policy and agreed to display a poster in the workplace indicating if anyone had concerns with the work environment that they were free to contact management. The complainant felt that the respondent took appropriate steps to address her concerns and accepted the information provided indicating that her termination was for an unrelated reason. As such she did not pursue the complaint further.

A woman (the complainant) filed a complaint alleging that the employer (the respondent) failed to reasonably accommodate her special needs based on her physical disability.

The complainant worked for the respondent for approximately three years when she accepted a higher level position with the company. Shortly after being in her new position she was diagnosed with a disability and required a few months leave from work. She claimed that she felt pressured to return to work and returned from her medical leave early. She made some mistakes and was put on probation. She raised the issue of her ongoing disability but felt that the information was ignored. She was dismissed a few weeks after her return to work.

Prior to an investigation and before a formal reply was submitted by the respondent (pre-investigation mediation), the parties reached a settlement that included the following: The respondent would pay the complainant \$1500 in respect of damages to her dignity, feelings and self respect (general damages); the respondent would pay the complainant \$4000 in respect of severance, less any statutory withholdings or deductions required by law and the complainant agreed to sign a release.

These and other sample settlements are available on the Commission's website www.manitobahumanrights.ca.

Report reveals issues faced by people with mental disabilities



The Ontario Human Rights Commission (OHRC) has released "Minds that matter: Report on the consultation on human rights, mental health and addictions."

This report outlines what the OHRC heard in its largest-ever policy consultation across Ontario, and sets out a number of key recommendations to address human

rights issues that affect people with mental health disabilities or addictions.

The OHRC heard about widespread discrimination in housing, employment and services. It heard that stereotypes and negative societal perceptions about people with psychiatric and addiction disabilities are in institutional policies and practices, individual attitudes and some types of legislation. The OHRC also found that many organizations do not appear to understand how to meet their responsibilities to prevent and respond to this discrimination.

Similarly, many people with mental health or addiction issues were not aware of how the *Human Rights Code* protects them from discrimination based on disability.

Chief Commissioner of the OHRC Barbara Hall said, "Upholding the human rights of people with mental health disabilities or addictions is a good thing to do. It's the right thing to do. In Ontario, it is also the required thing to do. It's the law."

The OHRC also heard that having a low income contributes to even more barriers to housing, services and job opportunities.

This report was written to reflect the experiences and perspectives of hundreds of people with mental health or addiction disabilities, as well as the viewpoints of employers, housing and service providers, advocates and other groups.

The report contains 54 recommendations for government and organizations. For example, the OHRC recommends that municipalities in Ontario review their zoning and housing licensing bylaws to make sure they do not treat housing for people with mental health issues or addictions any differently than other types of housing.

The OHRC received over 1,500 verbal and written submissions from across Ontario. To view the entire report, visit the OHRC's website at www.ohrc.on.ca.

LEAF Manitoba's 22nd Annual Persons Day Breakfast

Friday, October 19 7:15 - 9:00 a.m.

Winnipeg Convention Centre

Topic: Equality Delayed

Keynote Speakers Fiona Sampson and Mary Eberts

Tickets: \$25 available at:

LEAF Manitoba 453-1379, leafmb@mymts.net